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COMMITTEE ON THE ELIMINATION OF
DISCRIMINATION AGAINST WOMEN
(CEDAW)

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER
ARTICLE 18 OF THE CONVENTION ON THE ELIMINATION OF ALL
FORMS OF DISCRIMINATION AGAINST WOMEN

Second and third periodic reports of States parties

UNITED REPUBLIC OF TANZANIA*

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* For the initial report submitted by the Government of the United Republic of Tanzania see CEDAW/C/5/Add.57 and CEDAW/C/5/Add.57/Amend.1; for its consideration by the Committee, see CEDAW/C/SP.153, CEDAW/C/SR.154, CEDAW/C/SR.157 and CEDAW/C/SR.158 and Official Records of the General Assembly, Forty-fifth Session, Supplement No. 38 (A/45/38), paras. 93-129.

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I. INTRODUCTION

1. The present report covers the period from 1990 to 1996.

2. The United Republic of Tanzania signed the Convention in August 1985 and ratified it in 1986. Its initial report was discussed by the Committee on the Elimination of Discrimination against Women in January 1987. The addendum to the initial report was prepared and presented to the Committee in 1989. It was discussed by the Committee at its session in January-February 1990. In accordance with article 18 of the Convention governing rules for submission of reports by State parties, the current report serves as the second and third periodic report of the United Republic of Tanzania.

II. GENERAL DEVELOPMENTS IN THE STATUS OF WOMEN IN THE UNITED REPUBLIC OF TANZANIA

3. The initial report of Tanzania was accepted in 1990. Since then, many changes have taken place. The Convention has now been translated in Kiswahili, the national language, so that the majority of Tanzanians can know of its existence. By November of 1990, the women's national machinery in Tanzania was elevated to a full-fledged ministry with a woman minister and a woman chief executive. The creation of the ministry led to a lot of restructuring, not only of the Government national machinery, but also of various programmes geared towards elevating the status of women.

4. With the creation of the ministry, a women's policy was produced reiterating, among other things, support for women's rights and access to various resources in the country. The policy provides guidelines on ensuring women's full participation in various spheres of national life, encouraging women to participate in various activities geared towards improving their living standards and economic improvement through the implementation of various programmes.

5. There are specific programmes that have been developed with the aim of combating poverty and giving women skills that will enable them to engage in productive activities for their own benefit and for the benefit of their families and the community at large. Some of these programmes are described below.

A. Giving women access to credit

1. Credit guidelines

6. Tanzania, being a very large country (945,000 square km.), has numerous pilot projects aimed at giving women access to credit. Some have been successful, others have not been so successful. In 1992, as a result of all these pilot projects, the Ministry for Women's Affairs developed credit guidelines to assist in improving women's access to credit. The credit guidelines incorporate ideas from women themselves, from the Government and from

non-governmental institutions, individuals, finance institutions and official visits and studies of the Grameen Bank of Bangladesh and credit programme projects throughout Tanzania. The credit guidelines, as a policy to guide credit delivery and recovery for women in the country, provides for the establishment of a Women Development Fund (WDF), to be registered and operate as an autonomous non-governmental organization coordinated by the Ministry Responsible for Women's Affairs but supervised by a Board of Trustees.

2. The Women Development Fund

7. Action for the establishment of WDF started in 1992 and was approved by Parliament in 1993. WDF will be mobilizing its own resources; initial capital of 500 million Tanzanian shillings (equivalent to US$ 1 million) was approved by Parliament in the June-August 1993 budget session. Other sources of funds for WDF will include contribution by women beneficiaries through their savings and various governmental and non-governmental institutions and donors. Presently the donor community is funding various women's economic activities in an isolated manner. Pooling such resources within WDF may, in the long term, ensure accessibility of credit to the majority of rural women.

8. WDF is being run by a Board of Trustees, with a few credit office bearers acting as a secretariat to the Trustees and performing the day-to-day office administrative functions. The structure of WDF has been kept simple to minimize bureaucracy and to enhance activities. There are coordinating units at the national, zonal, ward or local levels. The chief executive of WDF will be the Executive Secretary, who will head the National Coordinating Unit (NCU). NCU has three main departments: Technical, Finance and Administration and Coordination, Information and Public Relations. The beneficiaries are women aged 18 years and above and young mothers. Young mothers include those who acquire marital status before they are 18 years old and those who become mothers before they are 18 years old.

9. Credit delivery and recovery will involve a multi-pronged approach. At the grass-roots level, the women are to run individual economic enterprises within a group. Five women choose each other, either on the basis of friendship or understanding or neighbourliness, but not on a family basis. These five will sit together and form a constitution and open individual and joint savings accounts. They will decide the order of who should request/get the loan. For better organization and development, these small groups will join with other groups to form a larger group of 30 people. These larger groups will form the Associations of Rural Women Enterprises (ARWES). ARWES will be registered under the Cooperative Act of 1992 as savings and credit societies.

10. The specific objectives of WDF include: mobilizing resources, providing loans, acting as a guarantee fund, creating employment, generating income and offering business advisory services. To attain such objectives, the Fund needs qualified staff in credit, management, banking, accountancy, business and entrepreneurship development, and grass-roots training. Such staff is available through the 1990-1995 pilot project credit scheme for productive activities of women in Tanzania. This United Nations Development Fund for Women (UNIFEM)-supported project is being administered by the Ministry of Community

Development, Women's Affairs and Children at the national level and is being implemented at the grass-roots level by community development/women in development officers stationed in the rural villages. As a pilot project, it comes to an end in February 1995. The use of the experiences of such personnel in WDF will ensure sustainability and replication of the credit scheme. At this initial stage, the Fund operates in seven regions, which have been chosen as pilot areas.

B. Training programmes

11. Training of women in Tanzania has taken various forms, including programmes aimed at improving technical, managerial and other necessary skills to enhance their contribution to national development. Such training has been provided through institutions and tailor-made programmes under the Training Fund for Tanzanian Women (TFTW), a project funded by the Governments of Tanzania and Canada.

12. The five-year project (1990/91-1994/95) has made a contribution to the country's development by helping women in various sectors improve their professional/technical skills so that they can impart their knowledge to other women. It has helped women enhance their skills in the areas of agriculture, education, health, environmental health, gender and development, entrepreneurship, statistics, accounting, food production, engineering, rural and social development, food processing technologies, medical parasitology, financial management, horticulture, rural technologies, etc. Under the programme, over 1,000 women have received training individually through institutional programmes and through group training tailored to suit their needs. Furthermore, rural women have been trained on the use of technologies such as oxidization and have been exposed to what others do through organized study tours within and outside the country.

13. Other training programmes for rural women are incorporated in various project activities for women, some funded by donors. For example, by 1993 there were about 84 projects for women funded by external donors ranging from multilateral agencies such as the World Bank, the United Nations Industrial Development Organization (UNIDO) and its specialized agencies, to individual countries, their embassies, ministries of foreign affairs, international development agencies or specialized non-governmental organizations. As most of the projects involve income generation, training for entrepreneurial development leadership and organization skills rank high on the curriculum.

C. Empowering women through law

1. Law reform

14. The majority of people, especially rural women, do not have the ability to assert rights nor the capacity to mobilize for change. It has been found that the main legal problems facing women centre on issues of divorce, custody and child support, and property adjustment after dissolution of marriage and after the death of the male spouse. Furthermore, despite having a bill of rights in

the constitution and even with the sensitization of the public, men's and women's rights to life and liberty continue to be abused through various forms of violence perpetrated against them. This is partly the result of deficiency in existing laws, and partly of the lack of laws prohibiting certain practices such as female genital mutilation.

15. So the Government, through the Ministry Responsible for Women's Affairs, identified and forwarded to the Law Reform Commission (LRC) operating since 1981 10 pieces of legislation which relegate women to a position of inequality in relation to men in various spheres of life. These laws cover three areas: women's rights, rights of children and laws of succession.

16. LRC has already done extensive work on these laws. Research was done to solicit views from the public as regards changes that will be effected in these laws. Reports have been compiled.

Law of succession

17. In September 1994, a major information dissemination workshop was organized jointly by LRC and the Ministry of Community Development, Women's Affairs and Children. The law of succession was the subject for discussion, whereby various individuals and religious institutions aired their views and made comments that will enable the Government to come up with a uniform law on matters of succession. The report has been forwarded to the Attorney General's Chambers, where a bill will be drafted to be presented in Parliament.

18. It is anticipated that this law will meet women's needs for property ownership and inheritance rights. To ensure that women give their views, ideas have been solicited from women in groups consisting of men and women and in separate groups of women only.

Law of marriage

19. The law of marriage of 1971 has been reviewed so that it can be amended. Although this law protects women's rights, it has various anomalies, such as lack of a clear-cut provision on division of matrimonial assets whereby spouses have to prove contribution towards acquisition of the assets. Many unemployed women end up with almost nothing at the end of marriage. The same law does not protect women's reproductive health, as it sets minimum age to marry at 15 for girls. The three types of marriage - polygamous, monogamous and potentially polygamous - allowed under this law pose a problem for women.

Law of the child

20. Proposals for enacting the law of the child have been made to bring together various pieces of legislation which cater to the articles of the Convention on the Rights of the Child (ratified by Tanzania in 1991). A report on the issue has been compiled and forwarded to the Attorney General's Chambers for necessary action.

Other laws

21. Apart from the above three areas of the law, which need to be revised, in 1991 a presidential commission identified 50 pieces of legislation that need revision in order to effect socio-economic changes. These include those laws that are oppressive to women. It is expected that more women will be involved in the review of laws and that envisaged changes will lead to further advancement of the rural women in Tanzania. The process, however, is very slow because of society's attitudes towards traditions and customs, which cannot be discarded overnight.

2. Legal aid schemes

22. There have been various efforts made by non-government organizations and the Government to raise the status of women:

(a) The Legal Aid Committee of the University of Dar es Salaam, Faculty of Law. The Committee, when it was established in 1967, was mainly engaged in clinical counselling. It did not undertake litigation. It dissolved in the 1970s but was revived in 1978/79 and is now operating on new and broader footing by engaging in litigation. It can help only a limited number of women, however, because the lawyers running it are University staff who have other commitments;

(b) The Tanzania Legal Education Trust (TANLET) has established the Legal and Human Rights Centre (LHRC), with the objective of protecting and fostering human rights through legal education and by aiding the people of Tanzania in legal matters. The Centre will also address issues that affect women;

(c) Tanzania Media Women Association (TAMWA) has a crisis centre that provides, inter alia, legal aid and counselling to women. It is an interdisciplinary group drawing its membership from various disciplines - lawyers, teachers, counsellors, doctors and so on. It mainly engages in counselling, not litigation;

(d) SUWATA is the economic wing of the Women's Organization of Tanzania (UWT). It offers legal services to women, providing legal counselling and legal representation to women. SUWATA has established legal aid centres in the regions so that many women can be reached.

3. Human rights network

23. As a follow-up to the World Conference on Human Rights, held from 14 to 25 June 1993 at Vienna, the Tanzanian delegation, which included the Minister for Justice and Constitutional Affairs and the Minister for Community Development, Women's Affairs and Children, committed itself to putting in place something concrete to respond to abuses of the human rights of women. The Human Rights Network was established to look into how various human rights issues could be addressed. Several meetings were held, and the issue of women rights surfaced at all the three meetings. As a result of the commitment of the two Ministers, a project was formulated with the objective of assisting to

institutionalize a mechanism within which the Government will address human rights abuses facing women. The project has three components: training in legal literacy; advocacy, which is directed at specified audiences to expose issues to the public and gain legitimacy; and counselling, with a view to empowering communities to address the immediate concerns of women.

4. Legal literacy/legal education

24. There are a number of programmes/activities aimed at educating not only women but also the public about legal rights. These activities are being carried out by non-governmental organizations and government institutions as follows:

(a) The Ministry of Community Development, Women's Affairs and Children has published an easy-to-read booklet on law and the status of women in Tanzania. This booklet covers various aspects ranging from ownership rights to violence against women. The future plan is to train the Ministry's extension workers so that they can be used as paralegals to help women at the grass-roots level;

(b) The judiciary has a radio programme to educate the public about the law, since ignorance of the law is not a defence;

(c) The media, including various newspapers that have columns on legal issues, and recent television and radio plays, which have been used to educate the public on legal rights.

III. THE CONVENTION AND ITS IMPLEMENTATION

A. Articles 2 to 5. Measures towards equality

25. Adherence to the constitutional embodiments regarding non-discrimination and provisions in other statutes continues. Furthermore, de facto measures, such as affording women opportunities to present their grievances regarding legal rights, continued to be taken up by government institutions such as the Ministry of Home Affairs, whose former Minister took the initiative to handle issues of violence against women. Many women have gotten an audience with the Minister and were able to get redress in issues of a criminal nature, such as wife beating.

26. Apart from the above, efforts to use legal recourse are being hindered by existing cultural norms, attitudes and customary practices that have not changed.

Other measures

27. From 1990, when the first report was presented, to date, great efforts have been made to sensitize both the public and key government officials regarding issues of equality between men and women. Integration of gender considerations

into the planning process in both the national and sectoral plan have been emphasized so that women's concerns can be addressed.

28. The response has been encouraging because men and women are now gender-sensitive, and this is a good starting point when addressing issues of equality.

29. In terms of policy and other legal developments, please refer to section II of the present report.

B. Article 6. Violence against women

30. The initial report did not contain information on violence against women. This, however, does not mean that the problem has been ignored. Women in Tanzania, like their sisters the world over, have been facing this problem, although statistics thereon are not sufficient to determine the magnitude of the situation throughout the country.

31. Studies have been carried out by researchers in some parts of the country, and results have shown the existence of practices of various forms of abuse, such as sexual assault, wife battering, sexual harassment, various forms of domestic violence, female genital mutilation, etc.

32. Recently the media has helped to expose the incidence of violence to the public, and some civil groups, such as the TAMWA crisis centre and the Committee Against Harmful Traditional Practices (which is within the Ministry of Health), have launched programmes to combat the practices. The Committee has been sensitizing the public about various abuses against women, especially female genital mutilation and its effects on women's health, sexual abuse and exploitation of minors.

33. The media has also played a big role in exposing the incidence of sexual abuse, which appears to be on the rise.

34. As a result of this exposure and public outcry, the Government noted with concern the increase in incidence of violence against women and responded in various ways. To start with, an amendment to the law on defilement of girls under 14 years of age was effected in 1992 making defilement a scheduled offence whereby a convicted accused is punished with a minimum of 35 years imprisonment. However, stringent punishment has not deterred the practice.

C. Article 7. Women in the political and public life of the country

35. Since 1971, Tanzania has witnessed a number of changes that have moved the country from a one-party democracy to a multi-party democracy. Thus, there have been changes in the Constitution to eliminate the supremacy of the ruling party, Chama Cha Mapinduzi (CCM), and to allow for the formation of other political parties. There are already 13 registered political parties, and parliamentary democracy is being put to the test. Freedom of the press has been increased,

and the number of privately owned newspapers and television and radio stations is increasing geometrically.

36. However, it is still to be seen whether women will fare better under multi-party democracy. The elections held in October 1995 revealed that women have still got a long way to go. Out of about 20 presidential candidates only one was a woman, and she did not manage to get through the preliminary process.

37. Since submission of its initial report, Tanzania has developed gender-related statistics. A Swahili version was produced in 1993. Tanzania has also prepared a book entitled Tanzanian Women and Men: Trends and Statistics for the United Nations. This book covers many areas including:

(a) Women and men and families;

(b) Housing, human settlements and environment;

(c) Women's and men's work;

(d) Public life and leadership;

(e) Education, science, media and culture;

(f) Health and nutrition status;

(g) Violence against women.

This information augments the Government's efforts in the planning process for improving the lives of men and women.

38. As indicated in the initial report, the Constitution of the United Republic of Tanzania, as amended in 1984 and again in 1994, guarantees the right of women to participate on an equal basis with men in political and public life under the provisions of the Bill of Rights.

39. Women in Tanzania constitute the majority of the population (51 per cent according to the 1988 census), which means they are the majority and can influence the outcome of an election if they so wish. The right to vote and to stand for election is given to men and women equally. But after 35 years of independence and despite a good literacy level (88 per cent for women and 93 per cent for men in 1988), the level of participation of women in Parliament and local councils leaves much to be desired. Consequently, in 1992 the Government enacted laws stipulating that at least 15 per cent of the members of Parliament must be women and at least 25 per cent of local government seats must go to women.

40. With the coming in of multi-party democracy, aspirants for local and parliamentary elections contest on a party ticket. So far there are 13 registered political parties in the country, and women in their respective parties competed with men on an equal basis in constituent parliamentary seats. However, the results have not been very promising.

41. Other women competed for the seats set aside for women (15 per cent) on a proportional rate to the number of seats won by each party. Fifteen per cent of the reserved seats for women were contested by women from their political parties.

42. Parliamentary elections under the multi-party system were held for the first time in October 1995. Considerable efforts were made to educate women about multi-party democracy, which to many was a new phenomenon. Voter education was conducted countrywide.

43. Regulations were prepared and put into practice during the local authorities elections, which were held from October to December 1993. In those elections, the chairpersons of Mitaa and Vitongoji and members of the Village Assembly were elected. For ward councils, elections were carried out in October 1994. Vitongoji are subdivisions of villages in rural areas and Mitaa are subdivisions of wards in urban areas. Most of the women who won elections were able to do so owing to the allocation of 15 seats for women. Whatever the case, the number of women is too small to bring the pressure needed.

44. The outcome of the local authority elections was that women got only 6 per cent of the seats in the mixed category of men and women. These results indicate that governments and political parties should intensify efforts to stimulate and ensure participation by women in the forthcoming elections.

45. The participation of women in the country's political affairs is outlined below:

1. Legislature

46. Women account for 16 per cent of the members of Parliament, which is composed of 275 members (231 men and only 44 women).

2. The executive

47. The number of women holding high-level posts (minister and principal secretary) has increased. Whereas in 1990 out of 25 ministers 3 were women (12 per cent), in 1994 the number increased, as two women were appointed to the post of Deputy Minister. In 1996, as a result of reduction of Government costs, the number of ministers was reduced to 23, out of which 3 were women. As for principal secretaries, there are now two women principal secretaries and two deputies.

48. With regard to high ranking officers in the civil service at regional and district levels, in 1991, out of a total of 20 regional commissioners, 18 were men and 2 were women. As for the regional development directors, all are men. Out of 82 district commissioners, 8 were women, and out of 82 district executive directors, 4 were women. As at 1996, the number of regional commissioners was 20, 1 being a woman. As for the 20 regional development directors, 4 were women. Out of 82 district commissioners, 15 were women.

3. The judiciary

49. Women participate in the Judicial arm of the Government in administering justice. The judicial hierarchy is such that there is the Court of Appeals at the apex, followed by the High Court and courts subordinate to it. The High Court and Court of Appeals are presided over by judges, whereas the subordinate courts are presided over by Magistrates.

50. Out of the total of 696 posts in the various bodies of the judiciary nationwide to date, 109 are held by women and 587 by men, that is, an overall female representation of 15.7 per cent. The above posts and representation breakdown for the years before 1990 and after 1990 are described below.

Private advocates

51. Pre-1990. There were 189 advocates, out of which 11 were women, or 5.8 per cent of the overall number of private advocates in the country.

52. Post-1990. Out of 265 private advocates, 19 were women and 246 were men. In 1994, women made up 7.16 per cent of the overall number of private advocates. (Source: High Court, Office of the Registrar, Dar es Salaam)

Resident magistrates

53. Pre-1990. Out of 99 resident magistrates, women accounted for 24.2 per cent, that is 24 were women while 75 were men.

54. Post-1990. Out of 125, 30 were women and 95 were men. In 1994 women accounted for 24 per cent of the overall number of resident magistrates. (Source: High Court, Office of the Director of District Court, Dar es Salaam)

District magistrates

55. Pre-1990. The total number of district magistrates was 177, out of which 21 were women. This means, women accounted for only 12 per cent.

56. Post-1990. The number of district magistrates had not increased as at October 1994, when the data was collected from the judiciary. (Source: High Court, Office of the Director of District Court, Dar es Salaam)

Justices of appeal

57. Pre-1990. The number of Justices of appeal was 7, all men.

58. Post-1990. In 1994, the number increased to eight, i.e., an addition of one justice of appeal. However, this new justice of appeal is a man. (Source: High Court, Office of the Director of District Court, Dar es Salaam)

High Court judges

59. Pre-1990. The number of judges of the High Court was 25, out of whom only 1 judge was a woman. This is a mere 4 per cent of the overall number of judges of the High Court.

60. Post-1990. The number rose to 28, of which 2 are women. This is 7.14 per cent of the overall number of judges as it stood in 1994. (Source: High Court, Office of the Director of District Court, Dar es Salaam)

State Attorneys 1994

61. In 1994, out of 95, 37 were women and 58 men. This means that women accounted for 38.94 per cent of the overall number of state attorneys. (Source: Attorney General's Office, Dar es Salaam)

62. The above trends show that although women participate and hold positions in the judicial hierarchy, their numbers tend to decrease as you go up the ladder, where positions involve major decisions.

4. Non-governmental organizations

63. At present there are over 365 civil organizations concerned with elevating the status and position of women. These organizations address various issues ranging from human rights to professional interests. Most are being led by women themselves, although some are also being led by men. Participation of women is encouraging especially where the non-governmental organizations have been initiated by women themselves.

D. Article 8. International relations

64. Women's representation at various levels in foreign service posts is still not very impressive. The number of women diplomats has remained very low for the past 10 years. In 1980, out of 28 ambassadors, only 1 was a woman. In 1985, we had 29 ambassadors and 2 were women. During the period 1990-1994, we had 31 ambassadors and only 3 were women. It is encouraging, however, to see that the number of women graduates in the diplomatic service has been growing gradually. In 1980, out of 150 men, 6 were women. The number increased to 23 women out of a total of 133 in 1985 and 1990 respectively. In 1994, 81 were men and 25 women. The trend indicates that there are women in the foreign service who could potentially be appointed to an ambassadorial position.

E. Article 9. Citizenship rights

65. The position has not changed since 1990. The nationality of women depends on various factors, such as birth and marriage. Women and men have equal rights in respect of citizenship except in certain circumstances.

66. Whereas a foreign woman married to a Tanzanian man acquires citizenship automatically (subject to denouncing her former citizenship, as required by law), a foreign man marrying a Tanzanian women does not enjoy the same right.

67. Children born in Tanzania, regardless of the citizenship of the parents, automatically acquire Tanzanian citizenship. However, because Tanzanian law does not allow dual citizenship, on reaching the age of majority (18 years), such children are required by law to denounce one citizenship.

68. This position regarding citizenship has not caused problems as far as women's rights are concerned.

F. Article 10. Education

1. Access to education

69. Inequality of access to education still exists at all levels between children from rural and urban locations, children of the rich and poor, children of educated and uneducated parents, as well as between boys and girls and as regards subjects offered at certain levels of education.

70. Inequalities in learning achievement still persist as a result of differentials in facilities offered, the general school environment, supply of instructional materials, equipment and other teaching aids, and curriculum content. Lack of awareness of the general value of education in different communities and by individual parents affect girls' education even more. Cultural values and practices are another big cause of inequality in access and learning achievement for women.

71. An analysis of government efforts to improve education to date suggests that among the post-independence education policies, focus has been on the distribution and equalization of educational opportunities for both sexes and expansion of the system at all levels, including the attainment of universal primary education.

72. Although compulsory enrolment in primary school offers equal opportunities for boys and girls, secondary education is not a right of every child. The transition rate from primary to secondary schools in Tanzania is very low. It stands at 15 per cent. Inequality of access to secondary education between males and females still exists. The number of boys in secondary school is greater than that of girls. The ratio stands at 40 per cent for girls as against 60 per cent for boys. At the advanced secondary level, the same situation obtains, girls having access to fewer places than boys.

73. The Government has not been able to expand public secondary schools at the same rate as primary schools. Of the girls enrolled in secondary schools 62 per cent are in private schools. This has a negative effect on equality, since achievement rates in private secondary schools are much lower than in public schools owing to poor staffing, the lack of necessary institutional materials and poor educational structures. Introduction of a double-shift

arrangement in urban secondary schools has steadily increased enrolment at the secondary level.

2. Educational trends in Tanzania

74. School enrolments had more than tripled since independence (1961) at all levels. However there has been a gradual decline, especially in mid-1980 and in 1992. Total enrolment dropped from 50 per cent in 1989 to 48.6 per cent in 1992.

75. Gender inequalities in the education process can be seen in the socio-economic and cultural norms and attitudes. Oppressive gender relations affect women's chances for education at all levels. Although enrolment in primary education is compulsory, the impact of structural adjustment programmes on families hit women and girls especially hard because families give priority to boys so that girls can stay home and marry or help with household chores.

3. Decision-making in the educational process

76. Women's participation in producing knowledge is still very marginal. Out of 40 principals of teachers colleges, only eight are women. Out of 190 heads of public schools, 30 are women. For the most part, female heads of schools can be found only in girls schools or in co-educational institutions. Out of 105 district chief inspectors, only 15 are females. Out of regional education officers in all the 20 mainland regions, 2 are females. Decision-making in matters of education is heavily concentrated at the higher echelons of the organizational structure, which means, with such minimal female participation, education for women cannot change much.

G. Article 11. Employment

77. The situation of women in employment has not changed much since 1990. During 1990/91 a labour force survey was carried out in which the labour force was classified depending on different dynamic activities relating to the International Standard Industrial Classification. Out of the total labour force of 11,294,927, 10,889,205 were employed, and 405,722 were unemployed. Of those employed, 5,434,106 were females and 5,455,099 were males. More females were engaged in agricultural activities than males. In the agricultural sector, females constituted 53.6 per cent, or 4,910,963 females against 4,253,096 males.

78. Employment status shows that out of a total of 16,889,205 employed people, unpaid family helpers (who are usually women) accounted for a total of 57,259. Out of 933,359 paid employees only 230,423 were females (24.7 per cent). Women are still lagging behind in the employment sphere despite existing laws providing for equality of men and women in employment opportunities.

79. The trends still show that women occupy middle and lower level positions compared to men.

H. Article 12. Health

80. Economic recessions have had a negative impact on health facilities and health conditions of the population. Services that used to be provided free of charge, including maternal health care, now have to be paid for.

81. However, there are ongoing projects and programmes geared towards promoting health. A description of a number of them is given below.

1. Health through sanitation and water

82. This programme, executed by the Ministry of Community Development, Women's Affairs and Children, covers the three Lake Victoria regions of Kagera, Mwanza and Mara. The task during the period under review has been, among other things, to facilitate, mould, formulate and adopt a clear vision and mission of the programme, as well as to facilitate translation into concrete integrated plans of operation and preparation modules of intervention testing and the application of the same.

83. This programme, which is supported by Sweden, has seven components, namely, shallow wells, improved traditional water sources, water schemes, institutional rural water holes, water jars, institutional latrines and village health workers. The programme thus improves very much the life of rural women. Future plans are geared towards extending this programme to other regions of the country.

2. Safe motherhood initiatives

84. In 1992, under the guidance of the Ministry of Health, with support from Family Care International, a Safe Motherhood Strategy for Tanzania was prepared. It is a coordinated effort to reduce maternal mortality. In this initiative, women have shown their advocacy and men are called upon to show their solidarity. The rate of current maternal mortality is very high. As part of the initiative, the Ministry of Community Development, Women's Affairs and Children is to sensitize communities and extension workers. Thus, in 1992 and 1993 the Ministry organized seminars for extension staff of the Ministries of Agriculture, Community Development, and Health (maternal aids). The topics covered included safe motherhood and the health of women, safe motherhood and family planning, food security at the family level, the law and safe motherhood, child survival, protection and development, the establishment of child-care centres (nurseries) and the role of various sectors in safe motherhood.

3. National Plan of Action for Child Survival, Protection and Development

85. In 1992, under the chairmanship of the Planning Commission and in collaboration with the United Nations Children's Fund (UNICEF), the Ministry of Community Development, Women's Affairs and Children developed a National Plan of

Action for Child Survival, Protection and Development. The Plan of Action assigns roles to various major sectors to ensure that children realize their rights, as stipulated in the Convention on the Rights of the Child, in the Organization of African Unity (OAU) Charter on the Welfare and Rights of the Child and in accordance with the global goals for children and the national goals for children adopted by members of Parliament in 1991.

86. Every year the country celebrates the Day of the African Child on 16 June, and International Women's Day on 8 March with seriousness, to reiterate the Government's commitment towards the development of women and children in the country.

4. Access to family planning services

87. Practically, the situation is similar to what was stated in the 1989 report. However, the following highlights are made:

(a) In 1991/92 a Demographic Health Survey was carried out which revealed that some 80 per cent of currently married women know of a contraceptive method and over 70 per cent know of a source of family planning services. The current (1994) contraceptive prevalence rate is estimated to be 11 per cent, 7 per cent modern and 4 per cent by traditional methods. This leaves over 30 per cent with unmet needs for family planning. In some regions the unmet need is as high as 50 per cent;

(b) The overall scenario is of widespread knowledge, low usage, high demand and high unmet need for family planning services. A substantial demand (25.8 per cent) for contraceptives exists among adolescents. However, only 5.2 per cent are currently being served, and 21 per cent still have unmet needs;

(c) The number of maternal child health clinics offering family planning services has increased from 59 per cent in 1989 to 63 per cent in 1992 and 75 per cent in 1993. However, the quality of services has not improved - 70 per cent of family planning clinics lack basic equipment and privacy, and the counselling skills of service providers are inadequate. However, the Government has now come out with a clear family planning policy and has implemented training in the supervision guidelines and checklists and standard guidelines;

(d) The major developments, however, have been preparation and training in the use of the National Family Planning Programme supervision guidelines and checklists. National Family Planning Programme activities for the period 1994-1999 have been developed. Emphasis is on service-oriented training, improved management and distribution of contraceptive supplies, as well as effective monitoring, evaluation and information, education and communication.

5. AIDS control programme

88. The National AIDS Control Programme is a cooperating agency of the National Family Planning Programme. The first case of AIDS in Tanzania was diagnosed in 1983, and it was not until 1985 that several hundreds were confirmed to have

been HIV-positive. Epidemiological analysis has illustrated that 80 per cent of the HIV transmission results from heterosexual practice. As a result of polygamous marriages in most of Tanzanian societies, and given the existing attitudes regarding sex, sexuality and women's rights, women have little option in protecting themselves against this killer disease.

89. Surveys by the National AIDS Control Programme in 1991 revealed that women were more at risk than men. A total of 5.6 per cent of male adults were already HIV infected, as compared to 7.3 per cent of female adults. The HIV/AIDS epidemic is more widespread within the 18 to 45 age bracket. Women are infected at a much younger age, the peak being between 20 and 24 years of age, compared with the male peak of 25 to 35 years of age. The response of the National Family Planning Programme has been to intensify advocacy, increase resources for the quality of care, popularize the use of the condom, promote open dialogue with the Government, non-governmental organizations and voluntary agencies and pay more attention to programmes aimed at young people.

90. The figures of AIDS victims in the 1992 National AIDS Control Programme report are alarming. There were 800,000 people who were HIV-positive and 160,000 with the AIDS virus. A total of 75,000 people were known to have died of AIDS, and there were 130,000 orphaned children. The rate of infection is 5.4 per cent for male adults and 7.0 per cent for female adults. It is thus estimated that, by the year 2000, AIDS victims will number about 2,400,000 and orphaned children between 750,000 and 1,000,000.

91. AIDS has impacted the population, the economy, the agricultural sector and the health-care system. Already half of the 26,097 hospital beds in the country are occupied by HIV/AIDS patients.

92. Tuberculosis, one of the diseases associated with HIV, has doubled from 10,000 new cases in 1980 to 20,000 new cases in 1990. Infant mortality, which had been declining and had reached 107 per 1,000 has again started to increase and may reach 154 per 1,000 by 1995. Adult mortality is expected to increase from 7 per 1,000 in 1988 to 14 per 1,000 or even higher by the year 2000. It has been estimated that if all AIDS patients were to be treated in health facilities, AIDS would absorb about half of the entire recurrent public health budget. However, the treatment and care of AIDS victims at home means that women's workload is increasing.

93. The impact on women is great in terms of social demands imposed on them. HIV-positive women are still expected to produce babies, and they have to live through the trauma of infecting their own children. Even more painful, women are anxious about leaving their children orphaned.

I. Article 13. Economic and social benefits

1. Social security

94. The social security system in Tanzania, like in other developing countries, is not so well defined. Social security depends on existing arrangements, such as the extended family system.

95. There is, however, a form of social security system for those who are in the wage or salary employment sector. However, few women benefit from the scheme because only a small percentage of women are employed. Available statistics show that about 32 per cent of Government employees are women, which means even if there are social security programmes or schemes, men will continue to be the beneficiaries because they are the majority in the working labour force.

96. Women dominate only the lower levels of the labour force, in casual, temporary employment and in the informal sector, such as food stalls, etc. In these areas, there are no developed formal social security programmes or systems. Usually women work in these difficult conditions and environments without any formal insurance or retirement benefits. Women organize their activities informally depending on individual creativity and immediate needs, and therefore the future is not considered because it does not address immediate needs. The future will be taken care of through the extended family system.

97. However, with changes that are taking place as a result, inter alia, of the economic crisis and modernization, some of the traditional social security systems and institutions, such as the extended family system, are dying out.

98. Existing social security systems in the formal sector for salaried employees include paid maternity leave of 84 days every third year for women. For a working woman this is an improvement, but for an unemployed or rural woman this has no meaning. Her activities in and around the house give her no time off. She has to work every day to provide for herself and her family.

99. There are other social security systems or social insurance systems pertaining to employment injury, old age and death. These systems are financed by contributions from employees and workers.

There are:

(a) Pension schemes for government employees;

(b) The Parastatal Pension Fund for workers in parastatals;

(c) Insurance against death, personal injury, etc., under the National Insurance Cooperations.

2. Pension

100. All civil servants who are appointed and confirmed on permanent and pensionable terms are entitled to be paid retirement benefits which are governed by one basic law - the Pension Ordinance Cap 371. There are other laws as well which cater to special circumstances, such as:

(a) The Specified State Leaders Retirement Benefits Act No. 2/1986;

(b) The Political Leaders Pension Act No. 14/1981;

(c) The Parastatal Pension Act No. 14/1978.

The first two, which cater to the top leadership, obviously do not benefit women, since women do not hold such high posts of President or Premier.

101. Pension is not an absolute right as, according to law, no officer has the right to be compensated for past service or to pension, gratuity or other allowance. The law allows an appropriate authority to dismiss an employee at any time without compensation.

102. There are categories of employees which do not qualify for pension, gratuity or other allowances, such as:

(a) Persons on probation;

(b) Those under 18 years of age;

(c) Persons who are dismissed from public service.

103. Pension, gratuity and other allowances are granted under certain circumstances, such as:

(a) On attaining the age of voluntary (50 years for men, 45 years for women) or compulsory (55 years for both) retirement;

(b) Transfer to other public service;

(c) Abolition of office;

(d) On medical grounds.

3. Other provident funds

104. Many women had been caught up in a discriminatory regulation (Standing Order No. D.20), which imposed an option on women officers who marry to convert to non-pensionable provident fund terms. This option is irrevocable. Many female officers have shown resentment to this obviously discriminatory standing order. Women who enter employment now do not opt for this arrangement and hence and not affected by it.

4. Other benefits

Advances

105. The Government has introduced salary advances to enable officers to purchase items that will motivate workers towards increased productivity. This covers both men and women without discrimination.

5. Other social security schemes

106. The National Provident Fund, the Parastatal Pension Fund and the Insurance Scheme are monopolized by the Government and cover a small section of society, namely the contributors, who are normally employed by the Government or the parastatal and business community. The Government is in the process of allowing

the private sector to open up other schemes. As far as women are concerned, it is the few women who fall under the stated categories that benefit from the schemes.

J. Article 14. Rural women

107. About 80 per cent of the Tanzanian population lives in rural areas. The trend in policy is to develop rural areas by providing social services, such as safe water, health facilities, appropriate technologies and good infrastructure. However, with the decline in the economy, such efforts have been hampered.

108. The Government and non-governmental institutions are trying hard to develop programmes for the rural population to improve their living conditions and especially to reduce the workload for women.

109. Government institutions such as the Technical Department in the Ministry of Community Development, Women's Affairs and Children, in collaboration with other Ministries, such as the Ministry of Water, Energy and Minerals, the Ministry of Health, and research and development institutions, such as Carmatec, the Institute of Production Innovations and the Small Scale Industrial Development Organization, have engaged in the dissemination of appropriate technologies to rural women and rural masses.

110. The technologies that are being disseminated are those which save time and energy and reduce walking distances. These technologies include:

(a) Household energy technologies (improved cooking stoves, husk stoves and biomass technology);

(b) Rainwater harvesting and storage using tanks and water jars;

(c) Transportation (handcrafts, wheelbarrows, animal-drawn carts and improved hand planters);

(d) Food storage and processing (oil extraction and improved traditional storage facilities);

(e) Housing technologies (use of locally available building material, such as burnt bricks, for construction of simple houses).

111. The dissemination of these technologies is done through working workshops, in which participants are trained to produce the required technologies. In some areas, groups of youth and women have been formed and given materials for producing technologies.

112. Youth groups have been assigned the task of producing technologies, and women's groups have been assigned the task of selling the products. However, in household energy and water storage facilities, women have been encouraged to produce and sell the products themselves.

K. Articles 15 and 16. Equality before the law: equal rights in marriage and family relations

113. The Constitution embodies the principle of equality before the law, and legal practice respects it. In marriage and family matters, the law is clear in its stipulations. The problem lies in practice owing to cultural norms and traditions which continue to militate against women. This is worsened by the fact that the law requires the courts to consider the customs of the parties concerned before determining issues concerning custody of children, division of property and inheritance.

114. There have been efforts to review the Law of Marriage Act (No. 5) of 1971. Proposals for reform of this law have been forwarded to the Attorney General's Chambers for necessary action.

IV. CONCLUSION

115. The situation of women has improved at a very slow pace since submission of the initial report in 1990. The reason behind this is that a society that is patriarchal cannot change overnight. However, the women's movement, together with men who show sympathy towards the cause, are working hard to remove cultural barriers that hinder implementation of some of the provisions of the Convention.

116. The translation of the Convention into Kiswahili and the publicity given to it will open the public to new ideas and possibly change negative attitudes about gender relations in society.

117. Women are now more aware that they are objects of victimization and that they need to be vigilant in pursuing their rights. On the other hand, some men have shown sympathy to the women's cause and have denounced victimization of and discrimination against women. Gradually society is opening up for some change in matters of equality between the sexes. Attitudes about customary practices, however, will take some time to fade out, which means that the eradication of discrimination against women will be gradual and slow.